



UNITED STATES
PATENT AND
TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
PO BOX 1450, ALEXANDRIA, VA 22313-1450
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MAY 27 2003

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ALEXANDRIA VA 22314

In re Application of
Andreas Podbielski
Serial No.: 09/494,297
Filed: January 31, 2000
Attorney Docket No.: P06628

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: PETITION DECISION TO RESTART
: PERIOD FOR REPLY
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This is in response to applicant's petition under 37 CFR § 1.181, filed February 5, 2002, requesting restarting of the period for reply.

A review of the file history shows the examiner mailed a non-final Office action to applicants on October 19, 2001, setting a three month shortened statutory period for reply. Applicants state that they did not receive the Office action until January 22, 2002, more than three months after the mail date thereof, and provide copies of the docketing receipt stamped first page of the Office action as evidence thereof. Applicants' statement and evidence are acceptable and the period for reply will be adjusted accordingly.

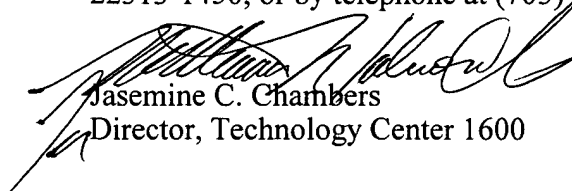
It is noted that the examiner improperly treated this petition as a letter requesting the Office action be remailed which was done on February 27, 2002, and to which a reply was received on May 21, 2002, (however, some pages were missing) as confirmed by an Office date stamped receipt.

Applicants' petition is **GRANTED**.

In view of the above examiner actions the reply received May 21, 2002, (as later completed) will be considered a timely and proper reply.

The application will be forwarded to the examiner for further consideration.

Should there be any questions regarding this decision, please contact William R. Dixon, Jr., by mail addressed to Director, Technology Center 1600, PO BOX 1450, ALEXANDRIA, VA 22313-1450, or by telephone at (703) 308-3824 or by facsimile transmission at (703) 305-7230.


Jasemine C. Chambers
Director, Technology Center 1600